THE HON'BLE MR JUSTICE S. ANANDA REDDY

WRIT PETITION NO: 17283 of 2005

DATED:05.08.2005

Between:

Smt. S.Bhoolakshmi, W/o.Naga Babu,

Aged 32 years, Bus Owner,

R/o.Near TTD Kalyana Mandapam, Balaji Cheruvu,

Kakinada, East Godavari District.

……PETITIONER

AND

1.Deputy Transport Commissioner &

Secretary, Regional Transport Authority,

East Godavari District, at Kakinada and another.

……RESPONDENTS

THE HON'BLE MR JUSTICE S. ANANDA REDDY

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ORDER

This Writ Petition is filed by the petitioner aggrieved by the seizure of the vehicle of the petitioner bearing No.AP 07V 4914 for the alleged irregularities specified in the vehicle check report, dated 5.7.2005.

According to the petitioner, while the vehicle was being shifted from one place to another place, it met with an accident and therefore, the second respondent inspected the vehicle and seized it under the vehicle check report, dated 5.7.2005. It is stated that though the petitioner made an application for release of the vehicle, the first respondent did not pass any orders releasing the vehicle. Therefore, the petitioner has come up with the present Writ Petition.

At the time of hearing, it is stated by the learned counsel for the petitioner that as per the Judgment of this Court, the first respondent is obligated to release the vehicle and contrary to the Judgment of this Court, no orders are passed releasing the vehicle.

Heard the learned counsel for the petitioner and learned Government Pleader for Transport.

Pending enquiry contemplated under the provisions of the Motor Vehicles Act, 1988 and the Rules made thereunder, the first respondent is directed to release the vehicle in question on petitioner depositing a sum of Rs.30,000/- (Rupees thirty thousand only) and also filing an undertaking that the vehicle shall not be encumbered or alienated pending further enquiry before the first respondent and the vehicle would also be produced as and when required by the first respondent for the

purpose of enquiry. It is made clear that the release of the vehicle as well as the deposit made by the petitioner shall be subject to the orders to be passed by the first respondent after completion of the enquiry.

With the above directions, the Writ Petition is disposed of. No order as to costs.

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S. ANANDA REDDY,J

05th AUGUST, 2005

Note: Issue C.C. by Monday.

(B/o)

tsr.